

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

**LEAGUE OF UNITED LATIN AMERICAN  
CITIZENS**, et al.,

*Plaintiffs*,

No. EP:21-cv-259-DCG-JES-JVB  
[Lead Case]

V.

**GREG ABBOTT**, in his Official Capacity as  
Governor of the State Texas; et al.,

No. 1:21-cv-00943-RP-JES-JVB  
[Consolidated Case]

*Defendants*

**PLAINTIFF WILSON’S UNOPPOSED MOTION FOR LEAVE TO FILE  
VERIFIED MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR  
CERTIFICATION OF CLASS ACTION, IN EXCESS OF PAGE LIMITATION**

COMES NOW Plaintiff Damon James Wilson, Individually and on Behalf of Others Similarly Situated and, pursuant to Local Rule CV-7(c)(2) of the Rules of the U.S. District Court for the Western District of Texas, files this *Unopposed Motion for Leave to File Verified Memorandum of Law in Support of Motion for Certification of Class Action, in Excess of Page Limitation*, and in this connection would respectfully show unto the Court as follows:

In this motion Plaintiff seeks relief from the 20-page page limitation contained in Local Rule CV-7(c)(2). The Plaintiff’s verified memorandum of law, in support of his motion for certification of class action (as filed in *Wilson v. Texas*, No. 1:21-cv-00943-RP-JES-JVB [Consolidated Case](ECF No. 5), is approximately 32 pages in length and therefore does not comply with Local Rule CV-7(c)(2). The excessive length of Plaintiffs’ memorandum is the result of the necessity of disclosing the historical record,

and context of his claims, for the purpose of illuminating the Framers' intentions when using the words "inhabitant," "usual place of abode" and "usual residence," insofar as their intentions would pertain to the federal constitutional claims Plaintiff has raised in his original complaint. The purpose of the memorandum is to enable the Court to better evaluate the nature of Plaintiff's federal constitutional claims as they would have bearing on Plaintiff's motion for certification pursuant to F.R.Civ.P. 23(a)(1) and 23(b)(1) and (2).

In accordance with Local Rule CV-7(b), a copy of Plaintiff's verified memorandum of law (in support of his motion for certification of class action) is attached hereto as Plaintiff's Exhibit 1. The memorandum includes a table of contents and an index to authorities. As indicated by the certificate of conference below, the Defendants do not oppose this motion for leave.

#### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this unopposed motion for leave will in all things be granted.

Respectfully submitted,

/s/ Richard Gladden

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#### **CERTIFICATE OF CONFERENCE**

In accordance with Local Rule CV-7(g) of the U.S. District Court for the Western District of Texas, this is to certify that on November 7, 2021, I conferred by email with

Patrick K. Sweeten, Attorney of Record for all Defendants, and I hereby certify that I have been authorized by Mr. Sweeten to inform the Court that the Defendants ***DO NOT OPPOSE*** the present motion for leave.

/s/ Richard Gladden

**CERTIFICATE OF SERVICE**

This is to certify that a true copy of this document was served on all Defendants using the electronic CM/ECF filing system, *via* their Attorney of Record, Patrick K. Sweeten, and by the same means on all Plaintiffs having cases consolidated with this case, on this 24<sup>th</sup> day of November, 2021.

/s/Richard Gladden